IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No. 21039 of 1998

Between:

1. Dasari Kishore Kumar, S/o.late D.Sudarshanam,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via- K.C.Works, Tadepalli Mandal, Guntur District
2. T.Navakishore, S/o. Bikshalu,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
3. I.Vasantha Rao, S/o.I.Sivaiah
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
4. K.Sriramajanardhan, S/o.Mallikarjun Rao,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
5. G.Rocky Kumar, S/o.G.Devadas,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
6. K.V.Nagaraju, S/o.Nancharaiah,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
7. G.Varaparasad Babu, S/o.G.Satyam,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
8. N.Vijay Kumar, S/o.N.R.Prasad,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
9. T.Raghuram Prasad, S/o.T.Ch.Raghavulu,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
10. R.Sunil Kumar, S/o.R.Prasad Rao,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
11. G.Suneel, S/o.G.Venkata Rao,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
12. S.Kumara Swamy, S/o.S.Nanda,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
13. N.Rajesh Kumar, S/o.Yellayya,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
14. G.Kamalakara Reddy, S/o.Seshagiri Rao,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
15. G.Bujji Babu, S/o. Adiyya,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
16. K.Suresh Kumar, S/o.Chinnayya,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
17. P.Prasad, S/o.Prakasa Rao,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
18. P.Kiran Kumar S/o.P.Prakash Rao,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
19. P.Vijaya Kumar, S/o.Nageswara Rao,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
20. S.Arun Kumar, S/o.Benerjee,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
21. K.Suresh, S/o.K.Yenkaiah,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
22. I.Vijayanand, S/o Amruthaiah,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
23. M.Padmavathi, D/o.Bhima Rao,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.

24. K.Suresh Kumar, S/o.K.Venkateswarlu,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
25. K.Srinivasa Rao S/o.K.S.Babu Rao,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
26. T.K.Jeeva Prasad S/o.T.Madhava Rao,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
27. B.Mohan Rao, S/o.B.Krupanandam,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
28. B.Pramod S/o.B.Manohar Rao,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
29. N.Chakravarthi, S/o.N.Prakasa Rao,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
30. J.Vijay Anand, C/o.Julia Kumari,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
31. P.Kishore Kumar, S/o. P.Immanuel,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
32. J.Rajendera Prasad, S/o.Satyanarayana,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
33. K.Prema Raj, S/o.K.Ranga Rao,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
34. K.Somaiah, S/o.K.Narsaiah,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
35. S.Padma Rao, S/o .Appa Rao,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
36. K.Babu Raja, S/o.Varadhanam,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.
37. J.Raja Kiran, S/o. J.Raja Rao,
C/o.Shaik Hussain Shah, Sri Purnachandra Nagar, Vaddeswaram

Post, Via K.C.Works, Tadepalli Mandal, Guntur District.

..... PETITIONERS

AND

1. The Commissioner, Technical Education and Convenor of EAMCET - 97 (Admissions), A.P.Sankethika Vidya Bhavan, Masab Tank, Hyderabad.
2. Nagarjuna University, rep.by its Registrar, Nagarjuna Nagar, Guntur District.
3. Principal, K.L.College of Engineering, Vadeeswaram Post, Via K.C.Works, Tadepalli Mandal, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ of Mandamus declaring the action of the 1st respondent i.e., Commissioner of Technical Education & Convener, EAMCET-97 (Admns.), A.P.Sankethika Vidya Bhavan, Masab Tank, Hyderabad for in with holding ratification of the petitioners' admissions as arbitrary, illegal and unconstitutional and issue a consequential direction to the 1st respondent herein i.e., the Commissioner of Technical Education & Convener, EAMCET-97 (Admns.), A.P. to permit the petitioners to continue in the 1st year B.Tech. Course in the respondent's college and grant such other writ, order or direction as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.J.JAYANAND

Counsel for the Respondent No.1: Government Pleader for Higher Education.

Counsel for the Respondent No.2: MR.T.S.HARINATH (SC-NAGARJUNA UNIVERSITY)

Counsel for the Respondent No.3: none appeared.

The Court made the following :

ORDER:

The petitioners appeared in Engineering, Agricultural and Medical Common Entrance Test (EAMCET-1997) in engineering stream. They were admitted to I year engineering course by third respondent college. The list of admissions submitted by third respondent to first respondent for ratification was considered and by proceedings dated 07.04.1998, the first respondent did not ratify the admission of the petitioners for various reasons. Assailing which, the present writ petition is filed seeking a direction to the respondents to permit the petitioners to continue the course.

This Court while issuing Notice Before Admission on 29.07.1998 suspended the impugned order, by reason of which the petitioners continued their course. Subsequently, they filed miscellaneous petition being W.P.M.P.No.33033 of 1998 seeking a direction to respondents to publish the results. Such an order was passed by this Court on 21.10.1998. The petitioners were admitted in the academic year 1997-1998 and in all probability they have completed their course. Therefore, nothing survives in the writ petition. However, it is always open to the first respondent to initiate necessary action against the third respondent for violating the admission procedure in accordance with law.

The writ petition, with the above observation, is dismissed.

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(V.V.S.RAO,J)

08.11.2004.

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To

1. The Commissioner, Technical Educationand Convener of EAMCET-97 (Admissions), A.P.Sankethika Vidya Bhavan, Masab Tank, Hyderabad.

2. The Registrar, Nagarjuna University, Nagarjunza Nagar,

Guntur District.

3. The Principal, K.L.College of Engineering, Vadeeswaram Post, Via-K.C.Works, Tadepalli Mandal, Guntur District.

4. Two C.Cs. to the Government Pleader for Higher Education, High Court Buildings, Hyderabad. (O.U.T.)

5. Two C.D. copies.